

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MONIQUE GRIMES, as Personal
Representative of the Estate of
DAMON GRIMES, Deceased,

Plaintiff,
v
TROOPER MARK BESSNER,
TROOPER ETHAN BERGER, and
SGT. JACOB LISS,
Defendants.

Case No. 17-cv-12860
Hon. Gershwin A. Drain
consolidated with
Case No. 17-cv-13580

GEOFFREY N. FIEGER (P30441)	MARK E. DONNELLY (P39281)
JAMES J. HARRINGTON, IV (P65351)	JOHN F. FEDYNSKY (P65232)
GINA U. PUZZUOLI (P37992)	Assistant Attorneys General
Fieger, Fieger, Kenney & Harrington, P.C.	Attorneys for Defendants
Attorneys for Plaintiff	Civil Litigation, Employment &
19390 West 10 Mile Road	Elections Division
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	(517) 373-6434

**PLAINTIFF MONIQUE GRIMES, AS PERSONAL REPRESENTATIVE
OF THE ESTATE OF DAMON GRIMES'
FIRST AMENDED WITNESS LIST**

NOW COMES Plaintiff, MONIQUE GRIMES, AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF DAMON GRIMES, by and through
her attorneys, FIEGER, FIEGER, KENNEY & HARRINGTON, P.C., and states
that she may call the following witnesses at the time of trial:

1. Monique Grimes;
2. Defendant Mark Bessner;
3. Defendant Ethan Berger;
4. Defendant Jacob Liss
5. John Hughes;
6. Dezjanai Grimes;
7. Destiny Grimes;
8. Dezaniqe Grimes;
9. MoToya Jones;
10. Steve Cajar;
11. DQoune Gantt;
12. Terronica Logan;
13. Charnasia Jones;
14. Sierra Hall;
15. Ameia McBride;
16. Shakirah Sims;
17. Gail Wiley;
18. Duane Campbell;
19. Shyrel Denise Powell;

20. Any and all teachers, administrators, counselors, parapros, assistants, employees, staff and/or representatives of Michigan Collegiate Middle School & High School, including, but not limited to:

- a. Records Custodian;
- b. Vergil Smith;
- c. Russell Woodruff;
- d. Mrs. Walter;
- e. Mrs. Fodder;

21. Any and all past and present officers, troopers, lieutenants, sergeants, investigators, technicians, employees, staff and/or representatives of the Michigan State, including, but not limited to:

- a. Records Custodians;
- b. Trooper Ethan Berger;
- c. Trooper Mark Bessner;
- d. Sgt. Jacob Liss;
- e. Trooper Lt. Shannon Banner;
- f. Lt. Twana Powell;
- g. Lt. Joseph Brodeur;
- h. Lt. James Smiley;
- i. Lt. Thomas DeClercq;

- j. Cpt. Gregory Zarotney;
- k. Inspector Matt Bolger;
- l. Sgt. Derek Barker;
- m. Lt. Kevin Rod;
- n. Sgt. Barry Schrader;
- o. Lt. Ken Lilg;
- p. Sgt. Duffy;
- q. Cpt. Monica Yesh;
- r. Lt. Shannon Sims;
- s. Officer Ewald;
- t. Lt. Michael Dillon;
- u. Lt. Gregory Morenko;
- v. Trooper Michael Floyd;
- w. Trooper John Kuhn;
- x. Trooper Jay Morningstar;
- y. Lt. Nathaniel McQueen;
- z. Sgt. Andrea Barber;
- aa. Trooper Chris Kurish;
- bb. Trooper Jeff Rucinski;
- cc. Trooper Jordan Walker;

dd. Officer Brown;

ee. Officer Lisa Rish;

ff. Inspector Phil Menna;

gg. Inspector Lynne Huggins;

hh. Trooper Jordan Walker;

ii. Lt. Vicki Johnson;

jj. Trooper Scalici;

kk. Trooper David Beliestri;

ll. Trooper Christopher Clark;

mm. Trooper Javon Strickland;

nn. Trooper Jeffrey Rowinski;

oo. Trooper Jerad Owens;

pp. Sgt. Dan Martin;

qq. Lt. Denise Powell;

rr. Sgt. Roger Hunt;

ss. Cpt. Thomas Deasy;

tt. Inspector Emmit McGowan;

uu. Lt. Charlie Resum;

vv. Sgt. Chad Dana;

ww. Sgt. Kevin Dolan;

xx. Trooper Justin Boczkasa;

yy. Trooper Travis Hop;

zz. Sgt. Joseph White;

aaa. Lt. Julie Busch;

bbb. Inspector Elvira Chapman;

ccc. Sgt. Larson;

ddd. Lt. Ray Collins;

eee. Col. W. Thomas Sands;

fff. Inspector Jim Wolf;

ggg. Inspector John Card;

hhh. Cpt. Chris Stolicker;

iii. Lt. James Grady;

jjj. Sgt. Tannischa McCallum;

kkk. Lt. Patrick Roti;

lll. Trooper David Jefferies;

mmm. Trooper Jonathan Meyer;

nnn. Trooper Christopher Kurish;

ooo. Sgt. Dan Martin;

ppp. Trooper Brennan Kelly;

qqq. Lt. Christopher Croley;

rrr. Lt. James Jarrett;
sss. Trooper John Beafore;
ttt. Lt. Jason Nemecek;
uuu. Lt. Michael McCarthy;
vvv. Trooper Torres MacLean;
www. Trooper Jonathan Henry;
xxx. Trooper Neil Donohue;
yyy. Trooper Michael Klenner;
zzz. Sgt. Todd Poppena;
aaaa. Lt. Mardella Horhn;
bbbb. Sgt. Rebecca MacArthur;
cccc. Sgt. Michael Zarate;
dddd. Trooper Michael Klenner;
eeee. Lt. Jeremy Brewer;
ffff. Sgt. Angela Hunt;
gggg. Lt. Michael Shaw;
hhhh. Lt. Rick Sekley;
iiii. Sgt. Hickok;
jjjj. Sgt. Scott Singleton;
kkkk. Sgt. Jeff Frasier;

llll. Sgt. James Bundshuh;
mmmm. Trooper Fahad Qureshi;
nnnn. Cpt. Beth Clark;
oooo. Sgt. James Young;
pppp. Trooper Michael Sherry;
qqqq. Trooper Matthew Unterbrink;
rrrr. Trooper Evan Rzeppa;
ssss. Trooper Brandon Maletta;
tttt. Trooper Jordan Enders;
uuuu. Sgt. Kevin Lucidi;
vvvv. Lt. Richard Sanchez;
wwww. Trooper Diondre Doaks;
xxxx. Sgt. Tracey Walton;
yyyy. Lt. Jeff Amley;
zzzz. Lt. Mark Goff;
aaaaa. Technician Amanda Roberts;
bbbbbb. Scientist Kathleen Szczegielniak;
cccccc. Forensic Scientist Karl Suni;
dddddd. Forensic Scientist Michelle Ponschike;
eeeeee. Lt. Nicole Bock;

fffff. Scientist Kristy Skedat;
ggggg. Sgt. Corriveau;
hhhhh. Dispatcher Carrie Sylvester;
iiiii. Trooper Jeffrey Frazier;
jjjjj. Lt. Aric Dowling;
kkkkk. Sgt. Diggs;
lllll. Trooper Armin Harba;
mmmmm. Tammy Mans, Human Resources;
nnnnn. Trooper Maetta;
ooooo. Lt. Benjamin Garrison;
ppppp. Sgt. Al Neal;
qqqqq. Trooper Pearson;
rrrrr. Trooper Joel Kuhn;
sssss. Commander Kriste Etue;
ttttt. Cpt. Decker
uuuuu. Trooper Nolan Pryzbello;
vvvvv. Trooper Angela Bean;
wwwww. Dispatcher Rebecca Carcone Cook
xxxxx. Trooper Dave Skeans;
yyyyy. Charlene R. Gilbert Warner;

zzzzz. Trooper Mike Sherry;
aaaaaa. Sgt. Tracey Walton;
bbbbbb. Trooper Brandon Maletta;
cccccc. Trooper Jeremy Cupp;
dddddd. Trooper Lisa Smith;
eeeeee. Dispatcher Jeff Polny
ffffff. James Deline;
gggggg. Lt. Nicole Bock;
hhhhhh. Trooper Marc Bonneau;
iiiii. Trooper Terry;
jjjjjj. Analyst Casey Wyzlik;
kkkkkk. Detective Jeff Frasier;
llllll. Lt. Aimee Maike
mmmmmm. Sgt. Paul Warner;
nnnnnn. Sgt. Peil;
oooooo. Chaplin O'Mire

22. Any and all past and present officers, troopers, lieutenants, sergeants, investigators, technicians, employees, staff and/or representatives of the Detroit Police Department, including, but not limited to:

a. Police Chief James Craig;

- b. Detective Enrique Jackson;
- c. Supervisor Paul A. Warner;
- d. Investigator Lance Sullivan;
- e. Investigator Joshua E. Davis;
- f. Supervisor Marc J. DeLuca;
- g. Officer Hamad/Amad Abed;
- h. Officer Daron Zhou;
- i. Officer Calvin Wilson;
- j. Officer Owen Hall;
- k. Supervisor Regina J. Allen;
- l. Officer Sequoia Turner;
- m. Officer Dejonte Rice;
- n. Officer Dejon Terice;
- o. Officer Nicholas Haupt;
- p. Sgt. Lawrence Addison;
- q. Officer Emily Stephenson;
- r. Officer Aubrey Wade;
- s. Officer Joseph Borkowski;
- t. Officer Kimberly Buckner;
- u. Officer J. Drake;

- v. Officer Jalen Williams;
- w. Officer Cameron. Boersma;
- x. Officer L. Wilson;
- y. Sgt. Todd Ebby;
- z. Lt. Jamar Rickett (DPD Communications);
- aa. Officer Jeffrey Hahn (DPD Force Unit);

23. Any and all past and present prosecutors, employees, staff and/or representatives of the Wayne County Prosecutor's Office, including, but not limited to:

- a. Records Custodian;
- b. Matthew Penny, Esq.;
- c. Maria Miller, Esq.;
- d. Sara Young, Esq.;
- e. James Gonzalez, Esq.
- f. Faith Aminiak, Esq.
- g. Robert Agacinski;
- h. Robert Donaldson, Esq.

24. Any and all past and present doctors, nurses, technicians, employees, staff and/or representatives of St. John Hospital and Medical Center, including, but not limited to:

- a. Records Custodian;
- b. Amrita Vempati, M.D.;
- c. Stacy Jutzy, R.N.;
- d. Jennifer DeStross, R.N.;
- e. Anne Harris-Holmes, RN.;
- f. Jen D., R.N.;
- g. Junior Resident, Dr. El-Shazly;

25. Any and all past and present doctors, technicians, assistants, investigators, employees, staff and/or representatives of the Wayne County Medical Examiner's Office, including, but not limited to:

- a. Records Custodian;
- b. David Moons, M.D., Ph.D.;
- c. Carl J. Schmidt, M.D.;
- d. Sarah Avedschmidt, M.D.;
- e. Tech Donovan Harden;
- f. Reginald Harvel;
- g. Jerrail Mantiv;

26. Any and all past and present laboratory technicians, scientists, doctors, nurses, employees, staff and/or representatives of NMS Labs, including, but not limited to:

- a. Records Custodian;
- b. Robert Middleberg, Ph.D.;
- c. Daniel Isenschmid, Ph.D.;

27. Any and all past and present employees, staff and/or representatives of Compassion Funeral Home, including, but not limited to:

- a. Records Custodian;
- b. Bishop Ruffin;

28. Samuel Sanders;

29. Deborah Crall;

30. Nurse S. Jethzu;

31. Regional Communications Center Unit Manager Juiwana Pickett;

32. Dr. Janka;

33. Dispatcher McDaniels;

34. Dispatcher Haynesworth;

35. Dispatcher Kenyon;

36. Cynthia R. Stockard (Children's Advocacy Center);

37. Mike Hale;

38. Jordan Walker;

39. Amanda Michelle;

40. Nate Johnson;

41. Any and all past and present employees, staff and/or representatives of Full Throttle Sports, including, but not limited to:

- a. Records Custodian;
- b. Doug Sandberg (Full Throttle Sports);
- c. Technician Chad Cook (Full Throttle Sports);

42. Any and all past and present employees, staff and/or representatives of Area Towing, including, but not limited to:

- a. Records Custodian;
- b. Dan Darga;
- c. Shane Anders;
- d. Dave Kovacs;

43. Any and all past and present employees, staff and/or representatives of Canfield Equipment, including, but not limited to:

- a. Records Custodian;

44. Sheena Edwards;

45. Witnesses identified by Sheena Edwards;

- a. Darnell;
- b. Javier;
- c. Joseph;
- d. Joi;
- e. Javier's brother;

46. Ariel Lassiter;

47. Forrest Harvey
48. Arial Hauser;
49. Demond Williams;
50. John Harris;
51. Lella Jackson;
52. Joseph Fields;
53. Chuane Fields;
54. Toshanda Williams;
55. Jose Merditaj;
56. Marquitta Brown;
57. Javerer Bonnor;
58. Kenneth Bonnor;
59. Sharel Smith;
60. Tiyon Roberts;
61. Mrs. Sullivan;
62. Jonathan Usher;
63. L.C. Williams;
64. All potential witnesses identified in police reports, including, but not limited to: Lillian C. Hannah, Lionel James Moss, Lowanna Bostick, Diane

Whitly, Kevin DeWayne Graham, Ronda Sturdivant, Paris Taylor, Booker Jackson, Brenda Morgan and Robert Koyl.

65. Diane Walton;
66. Levi Jones;
67. Sarah Griffith;
68. Courtney Griffith;
69. Lynol Moss;
70. Kevin Graham;
71. Robert Koyl;
72. Ms. Moran;
73. Kierra Evans;
74. Lillian Hannah;
75. Diamond Davis;
76. William Hunter;
77. Edward Varner;
78. Calvin Carter;
79. Donald Nowak;
80. Sharelle Brooklyn;
81. Michelle Brooklyn;
82. Diana Wilkerson;

83. Melissa Walker;
84. Joseph Fields;
85. Douglas Moran;
86. Brenda Cooper;
87. Doreen Thomas;
88. William Thomas;
89. Henry Coker;
90. Chalise Sawyer;
91. Mr. Don Hedgesreth;
92. Ms. Dunnigan;
93. Walter Martin;
94. Janice Jimmerson;
95. Darryl Jimmerson;
96. Satoya Jimmerson;
97. Stephanie Browning;
98. Melvin Rogers;
99. Janice McCoy;
100. Da'von Gibbons;
101. Da'vier Gibbons;
102. Mary Gibbons;

103. Denise Bork;

104. Robert Bork;

105. Tammie Boyd;

106. Larry Bowen;

107. Rhonda Hill;

108. Vandrie Dean;

109. Javier Bonner;

110. Kenneth Bonner;

111. Nkechi Eggleston;

112. Shaterrica Eggleston;

113. Debra Cole;

114. Ashley Snider;

115. Brian Fitch;

116. Tanisha Edwards;

117. Ebbie Edwards;

118. Teco Green;

119. Alexandra Hart;

120. Melissa Monique;

121. Marcus Hatcher;

122. Kendra Smith;

123. Chris Osepchuk;
124. Mary Guest;
125. Terrance Jones;
126. Brenda Morgan;
127. Lowanna Bostick;
128. Paris Nicole Taylor;
129. Booker Jackson;
130. Rhonda Studivant;
131. Derek Sims;
132. Nefititi Carter;
133. Tavern Colston;
134. Ervin Colston;
135. Kevin Gant;
136. Latayia Robinson
137. Destiny Robinson;
138. Danyale Mason;
139. Christina Quaker;
140. Marcia Cottledge;
141. Mario Gray;
142. Latacia Haythorn;

143. Stephen Ross;

144. Antoinette English;

145. Debra Cockerhorn;

146. Eugene Jubenville;

147. Kierra Evans;

148. Anthony Harris;

149. Darnell Williams;

150. Green Smith;

151. Brooklyn Smith;

152. Nate Gibson;

153. James Gibson;

154. Amanda Lupi;

155. Heather Wielkerowicz;

156. Candice Kirkland;

157. Anton Martin-Carter;

158. Ms. Waters;

159. Martin Curtis

160. Any and all past and present fire fighters, first responders, emergency medical technicians, paramedics, technicians, employees, staff and/or

representatives of Detroit Fire Department/Detroit EMS, including, but not limited to:

- a. Records Custodian;
- b. Any and all responders to the scene whether or not identified on the EMS Run Sheet for the subject incident involving Damon Grimes;

161. Any and all past and present officers, employees, staff, and/or representatives of the Michigan Department of Corrections, including, but not limited to:

- a. Dep. Warden Tellz;
- b. Mgt. Jimmy Waters;

162. Any and all past and present officers, employees ,staff and/or representatives of the Detroit Detention Center, including, but not limited to:

- a. Records Custodian;
- b. Abraham Peraza;

163. Any and all past and present employees, staff and/or representatives of Forensic Failure Engeineering & Scientific Counseling, including, but not limited to:

- a. Records Custodian;
- b. Darko Babic, MS;

164. Any and all past and present employees, staff and/or representatives of Axon Corporation, including, but not limited to:

- a. Records Custodian;
- b. Bryan Chiles;

165. Any and all past and present employees, staff and/or representatives of Olympia Coney Island, including, but not limited to:

- a. Records Custodian;

166. Any and all past and present employees, staff and/or representatives of LIJBS Towing, including, but not limited to:

- a. Records Custodian;
- b. Barry White;

167. Jamal Carver;

168. Any and all officers, deputies, state troopers, paramedics, medical staff and/or personnel who had involvement in this incident in any manner;

169. Any and all officers, deputies, troopers, prosecutors, investigators, administrators who investigated the incident;

170. Any and all individuals named in police reports, documents, witness lists, internal affairs investigations relating to this incident;

171. Any and all witnesses called to testify at the criminal trial and/or any criminal proceedings against Defendant Bessner and/or any Defendant herein;

172. All doctors, nurses, therapists, assistants, technicians, employees who had contact with Damon Grimes;

173. Any and all witnesses, including but not limited to, teachers, neighbors and/or friends of the Grimes Family;

174. Keeper of the Records:

- a. Michigan State Police;
- b. Attorney General's Office/State of Michigan;
- c. Michigan State Police Troopers' Association;
- d. Detroit Police Department;
- e. Wayne County Prosecutor's Office;
- f. Wayne County Medical Examiner's Office;
- g. Wayne County Circuit Court;
- h. Michigan Department of Corrections;
- i. Detroit Detention Center;
- j. Compassion Funeral Home;
- k. St. John Hospital & Medical Center;
- l. Detroit Fire Department/EMS;
- m. Forensic Failure Engineering & Scientific Counseling;
- n. Canfield Equipment Company;
- o. Area Towing;
- p. Michigan Collegiate Middle and High School;
- q. Canton Police Department;
- r. AXON Corporation;
- s. Fisheye Camera;
- t. Full Throttle Motor Sports;
- u. Any and all police departments that have employed Defendants;
- v. Any and all physicians, nurses, technicians and/or health professionals who rendered care to Damon Grimes;
- w. Any and all cell phone providers, including, but not limited to

- AT&T, Verizon, Sprint, and/or T-Mobile;
- x. Any and all custodians of photographs, surveillance video, cell phone video, audio recordings, video recordings and the like;
- y. SE CID Livonia;
- z. Kids Talk;
- aa. Olympia Coney Island;
- bb. LIJBS Towing;
- cc. All others made known through discovery;
- dd. Any Keeper of the Records listed by Defendants.

175. Any and all inmates at Wayne County Jail who have knowledge and/or information relating to Defendant Bessner's incarceration;

176. Additional medical experts to be named;

177. Additional psychological experts to be named;

178. All witnesses listed by Defendants:

179. Any witnesses made known through further discovery or otherwise;

180. All witnesses named in police reports, jail records, court records, medical records, psychological treatment records, and any other records;

- 181. Gerald Shiener, M.D. (Potential Psychiatry Expert);
- 182. Werner Spitz, M.D. (Forensic Pathologist/Toxicologist Expert);
- 183. Michael Baden, M.D. (Potential Expert – Forensic Pathologist);
- 184. Rany Abirashed, M.D. (Potential Expert – Neurology);
- 185. Jeff Victoroff, M.D. (Potential Expert – Neurology);

186. Michael Thompson, Ph.D. (Potential Economic Expert);
187. Nitin Paranjpe, Ph.D. (Potential Economic Expert);
188. Martin M. Wing, Ph.D. (Potential Economic Expert);
189. Thomas G. Bereza (Potential Law Enforcement Consultant Expert);
190. W. Ken Katsaris (Potential Law Enforcement Expert);
191. Thomas Green (Potential Expert – Accident Reconstruction);
192. Timothy Robbins (Potential Expert – Police Use of Force, Police Procedures, Accident Reconstruction);
193. John Wiechel, Ph.D. (Potential Expert – Accident Reconstruction);
194. Timothy Abbo (Potential Expert – Accident Reconstruction);
195. Kevin A. Rider, P.D., P.E. (Potential Expert – Human Factors/Conspicuity);
196. Bradley T. Cook, P.E. (Potential Expert – Human Factors/Conspicuity);
197. Robert Pachella (Potential Expert – Human Factors/Conspicuity)
198. Donald J. Decker, CCP (Potential Expert – Crime Scene Analysis/Investigation)

199. Charles P. Stephenson (Potential Expert – Crime Scene Analysis/Investigation)

200. Gregg Stutchman (Potential Expert – Crime Scene Analysis/Investigation)

201. R. Paul McCauley (Potential Expert – Forensic Criminology)

202. Betty Klein, M.D. (Potential Expert – Ophthalmology/Field of Vision)

203. Andrew Calman, M.D. (Potential Expert – Ophthalmology/Field of Vision)

204. E. George Rosinelli, Jr., M.D. (Potential Expert – Ophthalmology/Field of Vision)

205. Thomas Easley, Ph.D. (Potential Expert – Metallurgy);

206. Dennis McGarry, Ph.D. (Potential Expert – Metallurgy);

207. Any and all 30(b)(6) witnesses identified and or deposed in this case;

208. Police Policy and Procedure Experts to be named;

209. Police Use of Force Experts to be named;

210. Any and all billers for medical care facilities providing services to Plaintiff's decedent;

211. All witnesses necessary to identify or authenticate any documents, records, or things;

212. All witnesses whose involvement in this case was not known or reasonably anticipated at the time of the filing of this Witness List;

213. Pursuant to MRE 701, Plaintiff reserves the right to elicit opinion testimony from witnesses not specifically designated as experts

214. Agents, employees or custodians of any wrecking or salvage yard that may have been involved with any materials related to the disposal or care of the vehicles involved in the crash;

215. Any witness to the crash who may be identified during discovery.

216. All treating, consulting or examining physicians or other health care professionals.

217. Any and all household members, family members, friend and/or acquaintances who are aware of the alleged injuries suffered by the Estate members.

218. Any records Custodian or other witness needed to authenticate or introduce any exhibit.

219. Any witness or expert named by Defendants.

220. Any witness needed for rebuttal or impeachment purposes.

221. Any and all 911 dispatchers, and or any other dispatcher type personnel for any and all emergency service providers to include ambulance, fire, and police departments.

222. All persons identified in deposition testimony, discovery responses, interrogatory answers, or discovery accomplished through the responses to requests to produce.

223. All witnesses required to authenticate any business record or other document, including, but not limited to, the Custodian of Records.

224. Plaintiff reserves the right to add to or amend this Witness List as the need for or efficacy of addition or amendment is revealed in the further course of this litigation.

Respectfully Submitted,

/s/James J. Harrington, IV
GEOFFREY N. FIEGER (P30441)
JAMES J. HARRINGTON, IV (P65351)
GINA U. PUZZUOLI (P37992)
Fieger, Fieger, Kenney & Harrington, P.C
Attorneys for Plaintiff
19390 West 10 Mile Road
Southfield, MI 48075
(248) 355-5555
j.harrington@fiegerlaw.com

Dated: March 22, 2019

CERTIFICATE OF SERVICE

I hereby certify that on March 22, 2019, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to all participating attorneys.

/s/James J. Harrington, IV